APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,044	01/31/2001	I-Cheng Chen	2500-03	3157

26797	7590	02/03/2004

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EXAMINER
JACKSON, JAKIEDA R

ART UNIT	PAPER NUMBER
2655	4

DATE MAILED: 02/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-40* is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-40* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *31 January 2001* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a) ☐ All b) ☐ Some * c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.
13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  a) ☐ The translation of the foreign language provisional application has been received.
14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Specification

1.   The specification is objected to because of the following informalities:

  ➤ Page 4, line 13, the word "lone" should be --long--.

Appropriate correction is required.

2.   The Specification and the Claims are objected to because the term "voice

recognition" is misused for what nowadays is called --speech recognition-- in the speech

signal processing art. While "voice recognition" and "speech recognition" were both

once used interchangeably to refer to spoken word recognition, nowadays these two

terms are distinguished. The term "voice recognition" now denotes identification of who

is doing the speaking (class 704/246), while "speech recognition" (or word recognition")

denotes identification of what is being said (class 704/251). So, appreciate correction to

the proper terms of art is required.

Claim Objections

3.   **Claims 10-40** are objected to because of the following informalities:

  ➤ Regarding **claims 10-40**, there should be a space between the numberings and

  the words.

  ➤ Regarding **claims 20 and 40**, the phrase "an linguistic" should be "a linguistic".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   **Claims 1-8, 10-18, 21-28 and 30-38** are rejected under 35 U.S.C. 102(e) as

being anticipated by Bailey III (U.S. Patent No. 6,353,661), hereinafter referenced as

Bailey.

Regarding **claims 1 and 21**, Bailey discloses a method and product for matching

a spoken text (language match; column 28, line 67), the method comprising:

receiving the spoken text from a speech recognition system that converts a voice

signal to the spoken text (column 7, lines 16-20);

looking up for one or more words that match the spoken text (searching

information that the user request), wherein the one or more words are derived from an

identifier (identity of the user) of a piece of information provided from a server is

coupled over a data network (column 14, line 44 – column 15, line 7)

retrieving the information either from the server or a local database with respect

to the identifier as a query to the server or the database (column 8, lines 46-59).

Regarding **claims 2 and 22,** Bailey discloses the method and product wherein the server is remotely located (column 7, lines 41-44) and provides the information upon receiving a request including the identifier (column 14, lines 44-67).

Regarding **claims 3 and 23,** Bailey discloses the method and product further comprising:

generating the request to include the identifier (column 28, lines 49-51); and

sending out the request over the data network (column 10, lines 47-50).

Regarding **claims 4 and 24,** Bailey discloses the method and product wherein the data network includes one of (i) the Internet, (ii) the Intranet, (iii) a wireless network, and (iv) a network of a private and a public network (internet; column 6, lines 58-61).

Regarding **claims 5 and 25,** Bailey discloses the method and product wherein the voice signal is received from a voice network and input to the speech recognition system (column 8, lines 14-17 and column 11, lines 39-46).

Regarding **claims 6 and 26,** Bailey discloses the method and product wherein the voice network includes one or more of a public switched telephone network (column 6, line 67) and a wireless network (column 18, lines 15-18).

Regarding **claims 7 and 27,** Bailey discloses the method and product wherein the looking up for one or more words (word or phrase; column 24, lines 56-59) comprises:

receiving the identifier from the server, wherein the identifier contains more than one words (column 24, lines 56-62);

extracting one or more key words (word or phrase) from the identifier (column 24, lines 56-59); and

archiving the one or more key words in a local searching data set, wherein the local searching data set is remotely separated from the server (column 7, lines 23-25).

Regarding **claims 8 and 28,** Bailey discloses the method and product wherein the extracting of the one or more key words from the identifier (word by word) comprises discarding (excluding) generic words from the identifier (categories), wherein the generic words can be included in other identifiers (column 31, lines 18-58).

Regarding **claims 10 and 30,** Bailey discloses the method and product wherein the retrieving of the information comprises obtaining the information from the local database if the local database archives a copy of the information, otherwise from the server (column 15, lines 8-24).

Regarding **claims 11 and 31,** Bailey discloses the method and product, matching a spoken text (language match; column 28, line 67), the method comprising:

receiving a plurality of identifiers, each of the identifiers indicating a piece of information (column 16, lines 11-32);

identifying (examining) generic words and key words from the identifiers (defined categories; column 31, lines 26-27); and

organizing (facilitating) the keywords in a structure that can facilitate matching of the spoken text to one of the keywords (column 24, lines 53-67).

Regarding **claims 12 and 32,** Bailey discloses the method and product further comprising storing the structure in a local database (storing content; column 7, lines19-21).

Regarding **claims 13 and 33,** Bailey discloses the method and product wherein the structure is based on a data structure designated from searching through with respect to a query (column 14, lines 44-67).

Regarding **claims 14 and 34,** Bailey discloses the method and product wherein the structure is a tree structure (menu tree; column 29, line 61-62 and figure 22), each node of the tree structure being one of the keywords and associated with one or more of the key words that are collectively from one of the identifiers (column 30, line 32 – column 31, line 15).

Regarding **claims 15 and 35,** Bailey discloses the method and product wherein each of the identifiers contains one or more words (column 24, lines 56-62) and is selected from a group consisting of a title (column 21, lines 43-44), a filename (name of system; column 4, line 24), a symbol, (icon; column 9, line 2) an IP address (column 4, line 28) and a short article (column 31, lines, 29-30).

Regarding **claims 16 and 36,** Bailey discloses the method and product wherein the identifiers are supplied from a server providing information, each of pieces of the information being identified by one of the identifiers (column 10, lines 47-57).

Regarding **claims 17 and 37,** Bailey discloses the method and product wherein the server is remotely located over a data network (column 7, lines 41-44), and the identifiers are provided over the data network (column 16, lines 11-32).

Regarding **claims 18 and 38,** Bailey discloses the method and product wherein

the identifying of the generic words and the key words comprises:

computing a statistic measurement of the identifiers (usage number); wherein the

statistic measurement indicating how often each of the generic words and the key

words has respectively occurred in the identifiers (column 31, 37-38); and

classifying the generic words and the key words from the statistic measurement

(defined categories; column 31, lines 18-60).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   **Claims 9, 19-20, 29 and 39-40** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bailey III in view of Kanevsky et al. (U.S. Patent No. 5,897,616)

hereinafter referenced as Kanevsky.

Regarding **claims 9 and 29**, Bailey discloses a method and product for matching

a spoken text wherein the extracting of the one or more key words (word or phrase)

from the identifier (column 24, lines 56-59) further comprises:

identifying (examining) the generic words and the key words (defined categories;

column 31, lines 26-27), but lacks computing a histogram of the identifier. Kanevsky

discloses computing a histogram of identifiers (column 13, lines 29-32), to count how

many frames have selected each codebook.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Bailey's invention such that it computes a

histogram of identifiers to store information about the speaker in order to identify the

potential speaker (column 13, lines 19-32).

Regarding **claims 19 and 39**, Bailey discloses the method and product

the method and product for matching a spoken text but lacks the method and product

wherein the computing of the statistic measurement of the identifiers is computing a

histogram of the identifiers. Kanevsky discloses the method and product wherein the computing of the statistic measurement (column 11, lines 21-37) of the identifiers is computing a histogram of the identifiers (column 13, lines 29-32), to reduce the size of short lists of speakers and exclude speakers from the acoustic recognition process (column 11, lines 19-26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bailey's invention such that it computes the statistic measurement of the identifiers and computes a histogram of identifiers to store information about the speaker in order to identify the potential speaker (column 13, lines 19-32).

Regarding **claims 20 and 40,** Bailey discloses the method and product for matching a spoken text wherein the classifying of the generic words and the key words comprises:

performing an linguistic analysis (language match) of the marginal words (column 28, line 44 – column 29, line 22) to group the marginal words with either the generic words or the key words (column 31, lines 18-60) but lacks identifying any marginal words from the identifiers with respect to the histogram. Kanevsky discloses identifying any marginal words (codewords) from the identifiers with respect to the histogram (column 13, lines 24-32), to identify and count how many frames have selected each codebook.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bailey's invention such that it identifies any

marginal words from the identifiers with respect to the histogram to store information

about the speaker in order to identify the potential speaker (column 13, lines 19-32).

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to
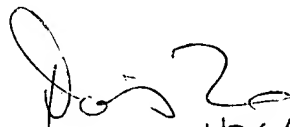
applicant's disclosure.

> ➢ Zirngibl et al. (U.S. Patent No. 6,587,547) discloses a system and method for he
>
>   creation and automatic deployment of personalized, dynamic and interactive
>
>   voice services, with real-time drilling via telephone.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jakieda R Jackson whose telephone number is

703.305.5593. The examiner can normally be reached on Monday through Friday from

7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Talivaldis I. Smits can be reached on 703. 306-3011. The fax phone

number for the organization where this application or proceeding is assigned is

703.872.9314.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is

703.305.4700.

JRJ

January 13, 2004

DORIS H. TO 1|26|04
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

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